


Dictionary Analysis of the Bankruptcy Reform Legislation (as of September 1, 2005)

Denotes additions or modifications

Ot worBk Reform Act Reference	Amends Bk Code	Description	Dictionary Event Design
§102 Clerk's Presumption of Abuse 	11 USC §707	<p>Clerk's Presumption of Abuse under §707(b)(7) <i>"the clerk shall give written notice to all creditors not later than 10 days after the date of the filing of the petition that the presumption of abuse has arisen"</i></p> <p>#Means flags designed so only one flag can be present at one time. Not necessary to do a Flags(reset .flagname)</p> <p>All chapter 7,11,13 individual debtors must file official Form 22A, 22B, or 22C respectively with the petition, if deficient, due within 15 days.</p> <p>Forms 22A, 22B, 22C due with petition at filing. If deficient, due within 15 days.</p> <p>Presumption of abuse checkbox is displayed prominently on top of first page of Form 22A for chapter 7 debtors. Disposable income determination checkbox is displayed prominently on top of first page of Form 22C for chapter 13 debtors.</p> <p># Separate means test deadlines</p> <p># Recommended language for Clerk's Notice of Presumption of Abuse</p>	<p>Based on the chapter 7 debtors' selection to the Check Means drop down box in case opening, §341 meeting notice will display language from one of 3 variables regarding presumption of abuse. (1) The presumption of abuse does not arise, (2) The presumption of abuse arises, (3) insufficient information has been filed to date to permit the clerk to make any determination concerning the presumption of abuse. The means flags control the text.</p> <p>New Flags: New private means flags set determined by answer to drop down box in case opening: MEANSNO,MEANSYES,MEANSU</p> <p>New Forms: Official Forms 22A, 22B, 22C <i>Respectively required for all individual debtors (individual Chapter 7 consumer debtor, individual Chapter 11 debtor, and all Chapter 13 debtors)</i></p> <p>#New Deadlines/Deficiencies: metest7, metest11, metest13 (metest)</p> <ul style="list-style-type: none"> #These 3 deadlines can be used instead of metest to provide specific language and form name. Deadline metest is described in the Release Notes, others a variation for more specific text. Starter dictionary uses metest7, metest11 and metest13. <p>New Event: Chapter 7 Means Test Chapter 7 Statement of Current Monthly Income and Means Test Calculation - Form 22A</p> <ul style="list-style-type: none"> Docketed only if Form 22A is filed after the petition is filed. Otherwise it is included with the petition package. # Includes prompts for Means Test y/n. Satisfies 15 day Means Test form (metest or metest7) deadline Because this event is docketed after the petition is filed and is satisfying a deficiency set at case opening for Form 22A, (metest or metest7) generates a notice sent to all creditors only if presumption is Yes <p>New Event: Chapter 11 Statement of Current Monthly Income - Form 22B</p> <ul style="list-style-type: none"> Docketed only if Form 22B form is filed after the petition is filed. Otherwise it is included with the petition package. Satisfies (metest or metest11) <p>New Event: Chapter 13 Statement of Current Monthly Income and Disposable Income Calculation - Form 22C</p> <ul style="list-style-type: none"> Docketed only if Form 22C form is filed after the petition is filed. Otherwise it is included with the petition package. (Satisfies metest or metest13) <p>Addition to court's Deficiency List and Deficiency Notice:</p> <ul style="list-style-type: none"> Forms 22A, 22B, 22C <p>New Form: Notice of Statement of Presumption of Abuse</p> <ul style="list-style-type: none"> Noticed only if presumption of abuse is Yes and Chapter 7 Means Test Form is not initially filed with the petition. #Courts should design local notice

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§102 Trustee's Presumption of Abuse	11 USC §704	<p>UST's Statement of Presumed Abuse under §707(b)</p> <p>§704 (b)(1) (A) <i>The trustee or BA shall review all materials filed by the debtor and , not later than 10 days after the date of the first meeting of creditors, file with the court a statement as to whether the debtor's case would be presumed to be an abuse under §707(b); and not later than 5 days after receiving the statement the court shall provide a copy of the statement to all creditors.</i></p> <p>§521 (i)(4) <i>the court may decline to dismiss the case if the court finds good faith attempt to file all the info required by subsection (a)(1)(B)(iv).</i></p>	<p>New Flag: §707(b) Public flag, will stop autodischarge.</p> <p>New Events: US Trustee's/BA's Statement and Notice of Presumed Abuse US Trustee's/BA's Statement and Notice of Presumed Abuse (batch)</p> <ul style="list-style-type: none"> Generates a notice to all creditors, for chapter 7 individual consumers where abuse arises. Text only entry with standardized language Sets §707(b) flag Resets private Means Test flag to MEANSYES if different. #A document number is now required on events if court wants hyperlink to this notice on the NEF and docket report so participants can view notice before the BNC certificate of service is autodocketed. Suggest changing event from doc(Paper3) to doc(Paper1). That will automatically assign a document number even if there is no PDF attachment. (V2.7 Task 1205) <p>#Deleted 3 additional events regarding Trustee/BA's presumption of abuse per EOUST</p> <p>#New Events: Trustee's Motion Declining Dismissal of Case Under § 521(i)(4), Order on Trustee's Motion Declining Dismissal of Case Under § 521(i)(4)</p> <p>New Form: UST's Statement and Notice of Presumed Abuse # Form available soon</p> <p>#Deleted 3 additional forms regarding US Trustees/BA presumption of abuse per EOUST</p>
§102 Debtor's Rebuttal of Means Test	11 USC §707	<p>§102(B)(i)<i>The presumption of abuse may only be rebutted by demonstrating special circumstances, such as a serious medical condition or a call or order to active duty in the Armed Forces.</i></p>	<p>New Event: Debtor's Rebuttal of Presumption of Abuse</p>
§102 Exemption from Means Test	11 USC §707	<p>§102(D)(i)(ii) <i>Prohibits the court from dismissing or converting a case based on any form of means testing, if the debtor is a disabled veteran and the indebtedness occurred primarily during a period during which he or she was: (1) on active duty or (2) performing a homeland defense activity.</i></p> <p>New checkbox for this declaration on Means Test Form 22A</p>	<p>New Event: Motion for Exemption from Means Test</p> <p>New Event: Order on Motion for Exemption from Means Test</p> <ul style="list-style-type: none"> If order is granted, changes Means Test flag to MEANSNO and removes 707(b) flag, if present.


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§102 Privacy for Family Violence Prevention and Services Act (FVPS)	11 USC §707	<p>§102(2)(A)(i) <i>Expenses on maintaining safety of the debtor must be private</i></p> <p>Expenses Related to Family Violence Protection Services is part of Form 22A and 22C. Different courts may process this information in different ways. This private event may be docketed by the attorney.</p>	<p>New Event: Expenses regarding FVPS</p> <ul style="list-style-type: none"> • Expenses Related to Family Violence Protection Services • Intent is to restrict access to this information if FVPS expenses are declared • This private event will not appear on the public docket report. Only court users will have electronic access to this information. Not trustees or US Trustees. Private events do not generate a Notice of Electronic Filing nor are they included in the Trustee's download of data.


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<p>§106 Credit Counseling</p> 	<p>11 USC §109 & §521</p>	<p>Certification of Credit Counseling required at filing for individual debtors for all chapters unless extension is requested. Debt Repayment Plan may accompany Certification.</p> <p>Add Certification of Credit Counseling to courts' deficiency notices/lists</p> <p># Guidance for tracking joint debtors</p> <p># §106(4)(A) If certificate of exigent circumstances or motion to extend time is filed with voluntary petition, then certification is due 30 days <i>from voluntary petition</i> and CounDue flag and/or deadline is set until Certification is filed.</p> <p><i>Exemption from Prerequisite Credit Counseling by a debtor whom the court determines is unable to comply due to incapacity, disability, or active military duty in a military combat zone</i></p>	<p>NewFlag: CredCoun (private)</p> <ul style="list-style-type: none"> Private flag can be set at case opening for every individual debtor. <p>New Deadline: credcoun</p> <ul style="list-style-type: none"> This deadline is used for deficiency for case opening (15 days) Set 30 days from <i>file date</i> of voluntary petition if Certificate of Exigent Circumstances or Motion to Extend Credit Counseling is filed and granted. <p># Courts may track this requirement by a flag or a deadline, or both. If courts track deficiencies, we suggest a new deficiency deadline below. May also be monitored by a private flag set at case opening for every individual consumer debtor.</p> <p>New Deficiency: Certificate of Credit Counseling (credcoun)</p> <p>New Event: Certificate of Budget and Credit Counseling Course</p> <ul style="list-style-type: none"> Recommended Clerk's Guidance is to docket separately from the petition Satisfies 15 day ddl for deficiency if present Satisfies 30 day ddl for extension if present removes CounDue flag if present This document to be supplied by approved Consumer Credit Agency <p># New Event: Certificate of Exigent Circumstances</p> <ul style="list-style-type: none"> Sets coundue deadline 30 days from date of voluntary petition <p># Deleted Motion to Extend Time for Credit Counseling as Certificate of Exigent Circumstances serves the same purpose, although court may want to use one.</p> <p>New Event: Debtor Repayment Plan</p> <p>New Events: Motion for Exemption from Credit Counseling due to ... (prompt)</p> <ul style="list-style-type: none"> (If the CounDue flag is not set for debtor because the court prefers to track deficiencies by deadline only, this event should <u>set</u> the CounDue flag anyway, to signal exception circumstances that may be challenged.) <p>Order on Motion for Exemption from Credit Counseling</p> <ul style="list-style-type: none"> If granted, removes CounDue flag


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§106 Credit Counseling (continued) 	11 USC §109, §521, §727, §1328	<p>Certification of Financial Management Course required before Discharge.</p> <p># If court wants to track each joint debtor's compliance, can create</p> <ol style="list-style-type: none"> 1. A DebtEdJT flag for the joint debtor, 2. A Financial Management Course Certificate event for Joint Debtor, 3 that satisfies a new DebtEdJT deficiency deadline, 4. The following logic in 7,11,13 voluntary petitions, which includes the CredCoun information also: If(IsYes('joint_petition'));Flags(set,CounDueJT);Flags(set,DebtEdJT);Flags(set,CounDue);Flags(set,DebtEd);Else;Flags(set,CounDue);Flags(set,DebtEd);EndIf; <p>#Rule 1007 allows for deadline for financial management course completion 45 days after the §341 meeting. Recommended Clerk's Guidance; If the debtor fails to submit the required certification regarding financial management, the court should close the case without the discharge being granted.</p> <p># <u>Guidance for tracking joint debtors.</u></p>	<p>New Flag: DebtEd (private) flag set at case opening</p> <ul style="list-style-type: none"> • Presence of DebtEd flag or finmgt deadline will prevent automatic discharge • Private flags will not display on docket report, but can be tracked though the Case Flags report. <p>New Event: #Financial Management Course Certificate (renamed from Debtor Education)</p> <ul style="list-style-type: none"> • #New Official Form 23 • Removes a private flag DebtEd which is set at Voluntary Petition for all chapters • # Can remove finmgt deadline if set at 341 meeting. <p>#New Deadline: finmgt</p> <ul style="list-style-type: none"> • # 45 day deadline from the §341 meeting of creditors for chapter 7 individual consumer debtors to file certificate of completion of Financial Management Course. (Rule 1007) <p>New Form: Financial Management Notice</p> <ul style="list-style-type: none"> • # Recommended Clerk's Guidance is to send this notice at the expiration of 45 day deadline to debtors who haven't fulfilled this requirement . Date certain of 15 days before court will close the case with a statistical disposition code of 4 (Discharge Not Applicable.) • Reminder to individual consumer debtors of this obligation- <i>court option</i> • Prototype for local form will be available • #Court can choose to include chapter 13 debtors who are not subject to 45 day deadline. <p># New event: Case closed without discharge. Should be used when debtor has not complied with providing financial management course certificate. Statistical disposition closing code should be 4 for Discharge Not Applicable. Docket Text of new event: <i>Case closed without discharge. Debtor has not filed a Financial Management Course Certificate proving compliance with the required instructional course requirement for discharge. If the debtor(s) subsequently file(s) a Motion to Reopen the Case to allow for the filing of the Financial Management Course Certificate, the debtor(s) must pay the full filing fee due for filing such a motion.</i></p> <p># Courts may want to add a local notice to this event.</p>

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<p>§203 Discouraging Abuse of Reaffirmation Practices</p> 	<p>11 USC §524</p>	<p>Modifies debt reaffirmation guidelines governing unsecured consumer debts for dischargeable debt agreements, except if the creditor is a credit union. Rule 4008 requires debtors to file a specific form of agreement that is intended to demonstrate whether the debtor has sufficient post-bankruptcy disposable income to make the payments called for by the reaffirmation agreement.</p> <p>Requires court approval of Reaffirmation Agreement when debtor's ability to make payments is in question. All pro se reaffirmations will still require a hearing.</p> <p>§ 524(c)(1)(J)</p> <p>#ProseREAF flag deleted as redundant</p> <p>Rule 4004 prevents the discharge from being entered until the court approves or disapproves the reaffirmation agreement under undue hardship.</p>	<p>New Event: Debtor's Reaffirmation Disclosure Statement</p> <ul style="list-style-type: none"> • opportunity to link to previously filed reaffirmation agreement with this creditor <p>New Event: Motion for Approval of Reaffirmation</p> <p>New Event: Order on Motion for Approval of Reaffirmation</p> <p>New Event: Presumption of Undue Hardship re: Reaffirmation Agreement</p> <ul style="list-style-type: none"> • opportunity to link to previously filed reaffirmation agreement with this creditor and sets ReafHdShp flag <p>New Event: Debtor's Statement in Support of Reaffirmation Agreement</p> <ul style="list-style-type: none"> • Opportunity to link to reaffirmation agreement • Required if Presumption of Undue Hardship exists. • Sets ReafHdShp flag if not already there <p>New Event: Recision of Reaffirmation Agreement</p> <ul style="list-style-type: none"> • opportunity to link to previously filed reaffirmation agreement with this creditor • Notice generated and mailed to creditor and parties of interest <p>Flag: REAF</p> <ul style="list-style-type: none"> • Public flag set when Reaffirmation Agreement is docketed if debtor is pro se. • Can also be set manually if debtor is pro se only for reaffirmation through the following new event. <p>New Event: Set REAF flag</p> <p>Utility to set Reaffirmation flag for debtors filing reaffirmation without attorney signature/representation, just for reaffirmation</p> <p>New Flag: ReafHdShp</p> <ul style="list-style-type: none"> • Private flag • Set by new event Presumption of Undue Hardship • This flag will prevent automatic discharge. <p>New Event: Hearing on Reaffirmation</p> <p>Modified Hearing <i>Other</i> Events (Added Set, Hearing Continued, Hearing Held <u>Other</u>)</p> <ul style="list-style-type: none"> • Link to reaffirmation agreement, sets date, time and location and notices <p>New Event: Order Approving Reaffirmation Agreement</p> <ul style="list-style-type: none"> • Stand alone order with opportunity to link to reaffirmation agreement • Prompt for user to remove REAF or ReafHdShp flag if no more reaffs are pending. <p>New Event: Order Denying Approval of Reaffirmation Agreement</p> <ul style="list-style-type: none"> • Stand alone order with opportunity to link to reaffirmation agreement • Prompt for user to remove REAF or ReafHdShp flag if no more reaffs are pending.

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§213 Certification of Support Payments (§§1129(a)(14), 1225(a), and 1325(a)).	11 USC §§1129(a); 1208(c); 1222(a)(b); 1225(a); 1228(a); 1307(c); 1322(a)(b); 1325(a); 1328(a)	Chapters 11, 12, 13 Plan requirement for debtor certification of payment of domestic support obligations	New Event: Domestic Support Obligations Paid This event is offered as an option for monitoring this requirement for chapter 11, 12 and 13 <u>if your court if your court chooses</u> # Deleted: Order Requiring Domestic Support Payments since it is a requirement in the statute and the responsibility of the trustee.
§221 & 227 Disclosure Statement of Bankruptcy Petition Preparers	11 USC §110	<i>Mandate for non-attorney bankruptcy petition preparers and any debt relief agency to disclose (1) they do not practice law or give legal advice; (2) file with court with debtor's signature along with other required documents before any money is collected.</i> The BPP Disclosure Notice to Debtor event is available to be docketed if not originally filed with the petition. This notice is also required with any other pleading a bankruptcy petition preparer may file on behalf of the debtor.	New Form: Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer - Form 19B New Event: BPP Declaration And Signature of Non-Attorney Bankruptcy Petition Preparer Form 19A # (revised form) New Event: BPP Disclosure Notice to Debtors - Form 19B • New 15 day deficiency for voluntary petition for all chapters, although required for any pleading prepared and filed by BPP for debtor • New deadline to track late filings • May not be docketed separately unless late #New Deficiencies: bpp19A Declaration and Signature of Non-Attorney bpp19B Notice to Debtors #New Deadlines for deficiencies bpp19A and bpp19B
§224 Protection of Retirement Savings	11 USC §522 & 523(a)	New guidelines for retiree benefits in bankruptcy.	New Event: Motion for Reinstatement of Retiree Benefits New Event: Order on Motion for Reinstatement of Retiree Benefits While this event will not be used that often, we have created a special event for it. Specific motions allow the precise language of the motion to appear on CM/ECF calendars. A generic motion and order can be used instead of adding this to dictionary.

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§232 Appointment of Consumer Privacy Ombudsman	11 USC §332	<i>A Consumer Privacy Ombudsman to be appointed and present at hearing for protections to safeguard the privacy interests of the debtor's clients when certain personal data are to be sold.</i>	<p>New Event: Trustee's Appointment of Ombudsman</p> <ul style="list-style-type: none"> Have a prompt for Consumer Privacy Ombudsman or Health Care Ombudsman to appear in text. See §1104 in this document. <p>New Event: Motion for Appointment of Consumer Privacy Ombudsman</p> <p>New Event: Order on Motion for Appointment of Consumer Privacy Ombudsman</p> <p>New Event: Order Directing Trustee to Appoint Ombudsman</p> <p>New RoleType: Consumer Privacy Ombudsman</p> <p>New Professional Type: Consumer Privacy Ombudsman</p> <ul style="list-style-type: none"> Fee applications and orders can be tracked on Professional Fees Report for §2013 reporting
§234 Restriction of disclosure of sensitive information in case file	11 USC §107	<i>Restricts public access to certain information contained in bankruptcy case files by authorizing the bankruptcy court to bar disclosure of information that it finds would create undue risk of identity theft or other unlawful injury to the debtor or his/her property.</i>	<p>New Event: Motion to Restrict Public Access</p> <p>New Event: Order on Motion to Restrict Public Access</p> <ul style="list-style-type: none"> If granted, image of data to be filed (or already on the docket report) would only be viewable to court users, but text entry would appear on the docket sheet, with a document number CM/ECF restrict access = 30, court users only All other users will receive a message Access Denied <p>See Motion and Order to Seal under §1104 in this document</p>
§302,303,320 Automatic Stay Guidelines	11 USC §362(c); §362(d); 362(e)	<p>Possible termination of stay 30 days after chapter 7, 11 or 13 petition if previous case dismissed in prior year.</p> <p>Allowance of 2 year extension of stay in regard to fraud.</p> <p>Automatic lifting of stay 60 days after party in interest's motion for relief of stay in chapters 7, 11 or 13 unless modified by court order.</p>	<p>New Event: Motion to Extend the Automatic Stay</p> <p>New Event: Order on Motion to Extend the Automatic Stay</p> <p>New Event: Debtor's Repeat Filing.</p> <ul style="list-style-type: none"> private utility event (no Notice of Electronic filing produced), only appears on private docket report. Suggest using PACER US PARTY INDEX program as a QC check to discover prior filings of debtors discovered at case opening. Message to set private REPEAT, PRVDISM OR PRVDISCH flag which can stop automatic discharge and can flag a closed case to monitor stay in dismissed cases <p>New Flag: REPEAT</p> <p>New Events: Motion to Terminate the Automatic Stay</p> <p>Order on Motion to Terminate the Automatic Stay</p> <p>Motion to Impose Automatic Stay</p> <p>Order on Motion to Impose Automatic Stay</p> <p>Debtor's Statement of Good Faith Filing</p>


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§305 Terminate the stay for certain property	11 USC §362	<i>Debtor must reaffirm, redeem or surrender certain property within time certain or court may determine that debtor's property is of consequential value and benefit of the estate and terminate the stay.</i>	New Event: Trustee's Motion to Determine Value of Property New Event: Order on Trustee's Motion to Determine Value of Property


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<p>§311 Rent and Automatic Stay</p> 	<p>11 USC §362(b)</p>	<p><i>Denies an automatic stay of eviction proceedings by a lessor against a debtor if: (1) the lessor obtained judgment for possession prior to the bankruptcy filing date; or (2) lessor furnishes certification of specified debtor offenses.</i></p> <p>Burden is on the debtor to declare prepetition residential judgment against him/her for rent or eviction. There is a new section on the voluntary petition for this purpose.</p> <p>If debtor declares prepetition judgment for residential property, debtor must file with the petition:</p> <ul style="list-style-type: none"> a) Certification of Intent to Cure Entire Monetary Default for Residential Property and b) 30 Day Rent Deposit <p>If debtor declares judgment for residential property but does not file a Certification to Cure Entire Monetary Default for Residential Property, Clerk shall file a certified copy of the docket report showing the landlord that no attempt to cure has been filed within 30 days of filing</p> <p>Funds must be released from the court registry promptly to landlord or debtor.</p>	<p>New Event: Intent to Cure Default</p> <ul style="list-style-type: none"> • (Certification by Debtor of Intent to Cure Entire Monetary Default for Residential Property and Deposit of 30 Day Post Petition Rent into Court Registry) • Prompts for the dollar amount of rent deposit • Sets a 30 day <i>propjudg</i> deadline from the file date of the voluntary petition. • Deadline displayed is “Deadline to Cure Default”. Debtor must cure within 30 days or Clerk must serve certified copy of the docket report. • Sets a FUNDS flag (Existing flag in starter that indicates there are funds in the court registry for this case.) • Possible future pay.gov functionality. <p>New Deadline: propjudg (Deadline to Cure Default)</p> <p>New Event: Certification of Cure of Entire Residential Judgment.</p> <ul style="list-style-type: none"> • satisfies 30 day Deadline to Cure Default deadline if present <p>New Event: Certification of Protection of Property from Damage</p> <p># Removed Obj to Debtor’s Intent to Cure Default. Can use generic objection event.</p> <p>New Event: Notice of Certified Copy of Docket Report</p> <ul style="list-style-type: none"> • Served by Clerk after 30 day deadline for Deadline to Cure Default is due. • Satisfies Deadline to Cure Default deadline. <p>New Events:</p> <ul style="list-style-type: none"> • Motion to Release Funds from Court Registry • Order on Motion to Release Funds from Court Registry <p># Removed Declaration of Entitlement to Funds since movant must file motion with the court.</p>



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§313 Lien Avoidance on Household Goods	11 USC §522(f)	Defines a debtor's household goods to include specific items. Requires UST to report household lien activities separately. §522(f)(1)(B)(i)	New Event: Motion to Avoid Lien on Household Goods under §522(f)(1)(B)(i) New Event: Order on Motion to Avoid Lien on Household Goods under §522(f)(1)(B)(i) <ul style="list-style-type: none"> Existing motion to avoid lien should be used for all other situations.
§315 Filing of Tax Returns Privacy 	11 USC §342	<p><i>Expands chapter 7 and 13 individual debtors' duties for filing tax returns.</i></p> <p>Initial prepetition tax returns are filed with the chapter 7 or chapter 13 trustee. No recording or monitoring by the court.</p> <p><i>If the debtor doesn't comply with these requests, the court shall dismiss the case unless the debtor demonstrates that the failure to so comply is due to circumstances beyond the control of the debtor.</i></p> <p>Additionally, debtors must file tax returns filed with taxing authority throughout the life of the case.</p>	New Event: Request for Copy of Debtor's Tax Information (#not Tax Return) <ul style="list-style-type: none"> Sets a private TaxReq flag TaxReq flag can prevent automatic discharge New Flag: Tax Req (private) TaxReq flag can prevent automatic discharge # New Event: Certificate of Service of Tax Information to Requestor <ul style="list-style-type: none"> Removes TaxReq flag Debtor must provide proof that tax information has been provided to creditor as a condition of discharge. New Event: Federal Tax Return # Tax Documents (info can be a summary of tax information) <ul style="list-style-type: none"> # (Reference to using an access level of 20 for CM/ECF removed) This event is(Access level 30), court user access only. Court will need to create local procedures when someone files a Request for Copy of Debtor's Tax Return. # This event will not remove TaxReq deadline since it is filed with the court, but requestor still doesn't have access. New Event: # Certificate of Service of Tax Information to Debtor proves the requestor/creditor has received tax information from debtor. #Recommended Clerk's Guidance is to have Request for Tax Information followed by formal Motion, Notice and Hearing #New Events: Motion for Access to Tax Information <ul style="list-style-type: none"> Sets TaxReq flag if not already there Order on Motion for Access to Tax Information # Deleted : Small Business Tax Return deadline. Federal Tax Return can be used for this purpose.


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§315 Creditors' Preferred Mailing Address 	11 USC §342	<p><i>Creditors can signify one national mailing address for all cases. Will be coordinated with the BNC.</i></p> <p>New National Creditor Registration</p>	<p>New Event: Notice of Preferred Creditor Address Request</p> <ul style="list-style-type: none"> # Certificate of Service from BNC for activity with this creditor will indicate ++ (2 plus signs) next to creditors' preferred address # Creditor must register with BNC for National Creditor Registration # This event is in the notice category <p>New Event:# Notice of <u>Override</u> Preferred Creditor Address</p> <ul style="list-style-type: none"> Creditor's exception address for this case only. Sets 5 day Preferred Creditor Address Update deadline for court to monitor that address has been updated. # precreadd deadline with 5 days Sets CredAdd flag to remind user to add this new record to the creditor matrix New functionality through new SetAddrFlag DPF where BNC will know to override preferred address on their file for this case. #Certificate of Service from BNC for activity with this creditor will indicate +++ (3 plus signs) next to creditor's redirected address # This event is in the notice category <p>NewFlag: CredAdd (unless court has one similar today) for reminder to the court user to add this address to the case's creditor matrix.</p>
§315 New Filing Requirements for Chapters 7 and 13 	11 USC §342	<p><i>Statement of attorney or a bankruptcy petition preparer indicating that such attorney or the bankruptcy petition preparer delivered to the debtor the notice required by section 342(b);</i></p> <p>New Form 19B - Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer</p> <p><i>Copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor</i></p> <p>Add to Deficiency Lists.</p>	<p>New Event: Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)</p> <p>New Form: Notice to Debtor by Non-Attorney Bankruptcy Petition Preparer (Official Form 19B)</p> <p>New Event: Employee Income Record (Pay stubs, etc.)</p> <p>New15 day deadlines and deficiencies :</p> <p># employee Employee Income Record Due</p> <p># bpp19A Bankruptcy Petition Preparer Signature due</p> <p># bpp19B Bankruptcy Petition Preparer Notice to Debtor due</p> <p>metest Generic deadline for all three chapters</p> <p>If a court wants to specifically distinguish means test documents Form 22 A, B and C, suggest using these deadlines instead of generic metest deadline.</p> <p>#metest7</p> <p>#metest11</p> <p>#metest13</p>

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§316 Dismissal for Failure to Timely File... 	11 USC §521(i)	<i>Individual debtors must file all information under subsection (a)(1) within 45 days after the petition or dismissed on the 46th day.</i>	New Deadline: Section 316 Incomplete Filings <ul style="list-style-type: none"> Create a new automatically calculated 45 day “Section 316” deadline on voluntary petition event #Optional since no event would satisfy this deadline unless Trustee’s Motion Declining Dismissal. New Event: Motion to Dismiss Case for Failure to File Required Documents under §521(i) New Event: Order on Motion to Dismiss for Failure to File Required Documents under §521(i) <ul style="list-style-type: none"> If granted add Dismissed flag and generate form (follow local court procedures) move case to Awaiting Closing status New Event: Motion to Extend Deadline to File Schedules or Provide Required Information New Event: Order on Motion to Extend Deadline to File Schedules or Provide Required Information <ul style="list-style-type: none"> Conditional logic will be used for “granted” orders, to display the message: “Now update the appropriate deadlines for the missing documents.” New Event: Order Dismissing Case for Failure to File Required Documents under §521(i) <ul style="list-style-type: none"> standalone order for use by court adds Dismissed flag and generate form (follow local court procedures) move case to Awaiting Closing
§322 Homestead Exemptions	11 USC §522	New limitation on homestead exemptions	New Event: Objection to Homestead Exemption
§325 US Trustee Filing Fee Increase	28 USC §1930(a)	Filing fees increases as follows:	<ul style="list-style-type: none"> Modify Chapter 7, 11, and 13 Voluntary Petition events to update the new filing fees. Ch 7 - \$220+39+15=\$274 Ch 11 - \$1000+39=\$1039 Ch 13 - \$150+39=\$189 Ch 15 - \$1000+39=\$1039 Unrelated to BRA, but filing fee for complaint will be \$250
§330 Delay of Discharge	11 USC §727(a); §1141(d); §1228; §1328	<i>The court may withhold a debtor’s discharge upon its reasonable belief that a proceeding is pending in which debtor may be found guilty of a felony or become liable for specific debts.</i>	New Event: Motion to Delay Discharge This <u>motion</u> can stop automatic discharge. <ul style="list-style-type: none"> Prompt within the event for Reason for Delay: New Event: Order on Motion to Delay Discharge


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§ 332 Fraudulent Involuntary Filings	11 USC §303	<i>Protection of named debtor of fraudulent involuntary bankruptcy case and court order to remove references of such to credit reporting agencies</i> Can also be used for protection of identity of minor children.	New Event: Motion to Seal New Event: Order on Motion to Seal New Event: Motion to Expunge New Event: Order on Motion to Expunge Orders granting motions to seal and expunge should stop automatic discharge.
§402 Meeting of Creditors	11 USC §341(e)	Meeting of Creditors can be Canceled due to Chapter 11 Debtor Filing an Agreed Plan	New Event: Motion to Cancel Meeting of Creditors New Event: Order on Motion to Cancel Meeting of Creditors <ul style="list-style-type: none"> Conditional logic is in the order event if granted, to check for a pending §341 meeting deadline and terminate it.
§417 Utility Assurance Payment		Authorizes a utility company to alter, refuse, or discontinue utility service, if during the 30-day period beginning on the date of the filing of the petition, the utility does not receive from the debtor or the trustee adequate assurance of payment for utility service that is satisfactory to the utility.	New Event: Motion to Increase Assurance Payment New Event: Order on Motion to Increase Assurance Payment

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<p>§418 Waiver of Filing Fees in forma pauperis</p> 	<p>USC 28 §1930</p>	<p><i>The district court or the bankruptcy court may waive all filing fees in a case under chapter 7 for an individual if the court determines that such individual has income less than 150 percent of the income official poverty line.</i></p> <p>New values for feetype in the CM/ECF database besides I for installments and p for paid. <i>W for IFP status, fee waived</i> <i>U for Unknown</i> <i>C for completion of installment payments</i></p> <p>This decision for waiving fees for subsequent fees is <u>discretionary</u> according to each court since the language indicates that waiving of further fees is not automatic. All other events with fees <u>can</u> have conditional logic added so that if the Fee Status is W (<i>in forma pauperis</i> fees waived) , do not present the Fee and Receipt screen. Therefore attorneys and trustees will not have a need to enter \$0.00</p> <p>NOTE: Information regarding waiving of fees for the debtor will be provided at a later date.</p>	<p>New Event: Application to proceed <i>in forma pauperis</i>.</p> <ul style="list-style-type: none"> Sets Filing Fee status to W at case opening if application to proceed IFP accompanies the petition. Section in new petition for this information also. <p>New Event: Order on Application to Proceed <i>in forma pauperis</i></p> <ul style="list-style-type: none"> Conditional logic will be added to check if the order grants the application, then change Fee Status to W for waived, if not already a W. If the order denies the application then change the Fee Status from W for waived to U for unpaid Sets an IFP flag <p><i>FYI: Final payment of installment fees will change the Fee Status from I to C for installment payments completed. This is a new requirement for the Statistics Division.</i></p> <p>New Flag: IFP for <i>in forma pauperis</i> status for reference and tracking for no fees due</p> <p>New Event: Order Revoking Debtor's Status of <i>in forma pauperis</i>.</p> <ul style="list-style-type: none"> Sets Fee Status to U Removes IFP flag <p>Recommend adding W and C to Automatic Discharge table as acceptable fee statuses, besides P for paid. Then I for installments and U for unpaid would prevent discharge.</p>


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§603 Audit Procedures	11 USC §727	<p><i>Notice to creditors of material misstatement of income or expenditures of assets.</i></p> <p>#Note: Section 603(e) Effective Date.—The amendments made by this section [adding reference to an auditor in section 521(a)(3) and (4)] shall take effect 18 months after the date of enactment of this Act. Court can choose to wait with adding these new events.</p>	<p>New Trustee Event: Notice of Material Misstatement of Income or Expenditures New Notice: Notice of Material Misstatement of Income or Expenditures of Assets #No official form # Form will be provided at a later time. This event can prevent automatic discharge New Event: Auditor's Report</p>

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§801 Chapter 15 	11 USC §304 New Provision	<p>Chapter 15 is replacing §304 filings for Foreign Insolvencies. The petition filed by a foreign representative who files a Petition for Recognition of Foreign Proceeding in order to avail themselves of US Bankruptcy Protection.</p> <p>Once the foreign proceeding status is recognized in US bankruptcy court, an appropriate U.S. Bankruptcy case could be opened if appropriate.</p> <p>The form will be the regular Official Form 1 Petition.</p> <p># There are two check boxes. One each for Foreign Main Proceeding and for a Foreign Nonmain Proceeding under §1519 of the Code.</p> <p>Rule 1007 has been revised to require with the petition <i>“a list of entities with whom the debtor is engaged in litigation in the US...any entities against whom provisional relief is being sought as well as all administrators in foreign proceedings of the debtor.”</i></p> <p># <i>“...the foreign representative shall file with the court that granted recognition a notice stating the representative’s intention to commence a case...”</i></p>	<p>New Event: The lead event will be Petition for Recognition of Foreign Proceeding --</p> <ul style="list-style-type: none"> the form will be the official Official Form 1 Petition. # Petition provides two check boxes for Foreign Main Proceeding and Foreign Nonmain Proceeding. <p>New Event: Order Recognizing a Foreign Proceeding. New Event: Appointment of Foreign Representative New Roletype: Foreign Representative Fee: \$1039</p> <p>#New Event: Chapter 15 Service List #New Deficiency: ch15list #New Deadline: ch15list</p> <p>#New Event: Notice of Petition for Recognition of Foreign Proceeding #New Event: Notice of Foreign Representative’s Intent to Commence a Case #New Event: Notice of Court’s Intention to Communicate with Foreign Courts and Foreign Representatives</p>


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§1104 Appointment of Health Care Ombudsman	11 USC §333	Appointment of ombudsman to a health care business case. Version 2.7 introduces a new Type of Debtor of Health Care business for chapters 7, 9 and 11. Selection is made during the case opening process.	New Event: Trustee's Appointment of Ombudsman <ul style="list-style-type: none"> Have a prompt for Consumer Privacy Ombudsman or Health Care Ombudsman to appear in text. This event is used for the Consumer Ombudsman also. See §232 in this document. New Event: Ombudsman report for the period of _____. New Roletype: Health Care Ombudsman, New Professional Type: Health Care Ombudsman <ul style="list-style-type: none"> Fee applications and orders can be tracked on Professional Fees Report for §2013 reporting New Event: Order Directing Trustee to Appoint Ombudsman
§1116 New Chapter 11 Small Business Requirements	New Provision	New requirements due at filing if small business is designated.	New Events: Small Business Balance Sheet Small Business Statement of Operations Small Business Cash-Flow Statement New Flag: SmBus for small business expanded tracking requirements New Deadline: SmallBus #11plnsb (renamed deadline) to track 300 day plan deadline New Deadlines and # 15 Day Deficiencies: # No 7 day deficiencies SB Balance Sheet - balsh, SB Statement of Operations - stmtop SB Cash Flow Statement - csflow

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§1233 Direct Appeal 	28 USC §158	<i>Any district or bankruptcy court, BAP, or party in a judgment, order or decree may file a direct appeal to the Circuit.</i>	New Event: Certification of Direct Appeal to Circuit Court Official Form 24 Sets Direct Appeal flag New Flag: DirApl <ul style="list-style-type: none"> DirApl flag could stop AutoClosing program New Event: Order from Circuit Court <ul style="list-style-type: none"> Removes DirApl flag